

Family and Nation: Cherokee Orphan Care, 1835-1903

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A thesis submitted to the faculty of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Master of Arts in the Department of History.

Chapel Hill
2008

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Abstract
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In 1872, the Cherokee Nation established its Orphan Asylum as a means to provide support and education to its orphaned children. The Asylum, like hundreds across the United States, provided a modern means to care for orphan children, but unlike other institutions in Indian Territory or the United States, the Cherokees controlled all facets of the institution. The Asylum combined English education, manual labor, and a home to hundreds of Cherokee children. As the Cherokee Nation faced threats from white settlement, federal proposals to make Indian Territory a United States Territory, railroad companies, and allotment, the Orphan Asylum emerged as a symbol of the Cherokees' sovereign status and aided the transmission of traditional values rooted in community and family to its next generation.

To my Nation, my advisors, my colleagues, my friends, my students, my family (especially my parents and my husband Nick), and most of all my greatest accomplishment Lilith Selu.

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On November 17, 1903, fifteen miles from the nearest railway station and fifty miles northwest of the capital of the Cherokee Nation in Tahlequah a fire engulfed the Cherokee Orphan Asylum. The fire threatened the lives of the 149 resident orphans, many of whom were feverish and bed-ridden from measles, but every person in the building survived. The stately three story structure built on the banks of the Grand River in Salina had housed Cherokee orphans for thirty-one years. The Cherokee Nation relocated the homeless children to the Nation's Insane Asylum in Tahlequah where Sequoyah School stands today.¹ As fire destroyed the asylum, allotment threatened Cherokee sovereignty, tribal land-holdings, and Cherokee-controlled political, legal, and social institutions, including the Orphan Asylum. Just as the destruction of the orphanage foreshadowed that of the Nation, the development of the Orphan Asylum documented the emergence of the Cherokee Nation as a modern nation state and demonstrated its ability to blend ancient social responsibility with modern social institutions in a way that adhered to Cherokee cultural values.

The first North American orphan asylum opened in New Orleans in 1739, but the growth of orphan asylums exploded in the period after the Civil War.² Civil War deaths, particularly of soldiers, forced states, communities, and organizations to rethink their responsibilities to orphans and children with only one living parent, termed half-orphans.

¹ N. B. Johnson, "The Cherokee Orphan Asylum," *Chronicles of Oklahoma* 44 (Winter 1966–67): 275-280.

² Nurith Zmora, *Orphanages Reconsidered: Child Care Institutions in the Progressive Era* (Philadelphia: Temple University Press, 1994); 9, 15; Timothy A. Hasci, *Second Home: Orphan Asylums and Poor Families in America* (Cambridge: Harvard University Press, 1997) 27.

Mothers faced precarious employment opportunities, and domestic service, one of few opportunities for poor women, often required them to live-in which kept mothers away from their children.³ Soldiers' Orphans' Homes emerged to aid the immense number of children left half-orphaned by war. At the same time, industrialization, urbanization, and immigration exacerbated the problem of parents, even two parent families, many of whom became incapable of providing for their children as a result of dislocation and poverty. From the 1830s to the 1880s, orphan asylums constituted the most popular means to care for children whose parents could not, whether as a result of death or circumstance.⁴ Trustees, reformers, and social workers aimed to create "homelike" institutions based on the middle class "cult of domesticity" that highlighted the importance of the domestic sphere and the role of mothers in establishing a proper environment in which children could develop.⁵ Because most orphanages were private and responded to specific needs of religious and ethnic groups, no two asylums were alike in form or practice.⁶ The Cherokee Orphan Asylum, established by the Cherokee Nation in 1872, comes out of similar historical circumstances, but the cultural and political base from which it emerged was uniquely Cherokee.

³ Judith A. Dulberger, *"Mother Donit for the Best": Correspondence of a Nineteenth Century Orphan Asylum* (Syracuse: Syracuse University Press, 1996), 3-4.

⁴ Hasci, *Second Home*, 4.

⁵ Ibid., 65-66; Dulberger, *"Mother Donit for the Best,"* 17, 23.

⁶ Zmora includes three Baltimore case studies including the Hebrew Orphan Asylum established in 1872, the Samuel Ready School, a Protestant-run facility opened in 1887, and the Catholic Dolan's Aid Society founded in 1874. Zmora, *Orphanages Reconsidered*, 20, 26, 32. Dulberger traces trends in New York's State Board of Charities developed in the 1860s. Dulberger, *Mother Donit for the Best,* 1-23.

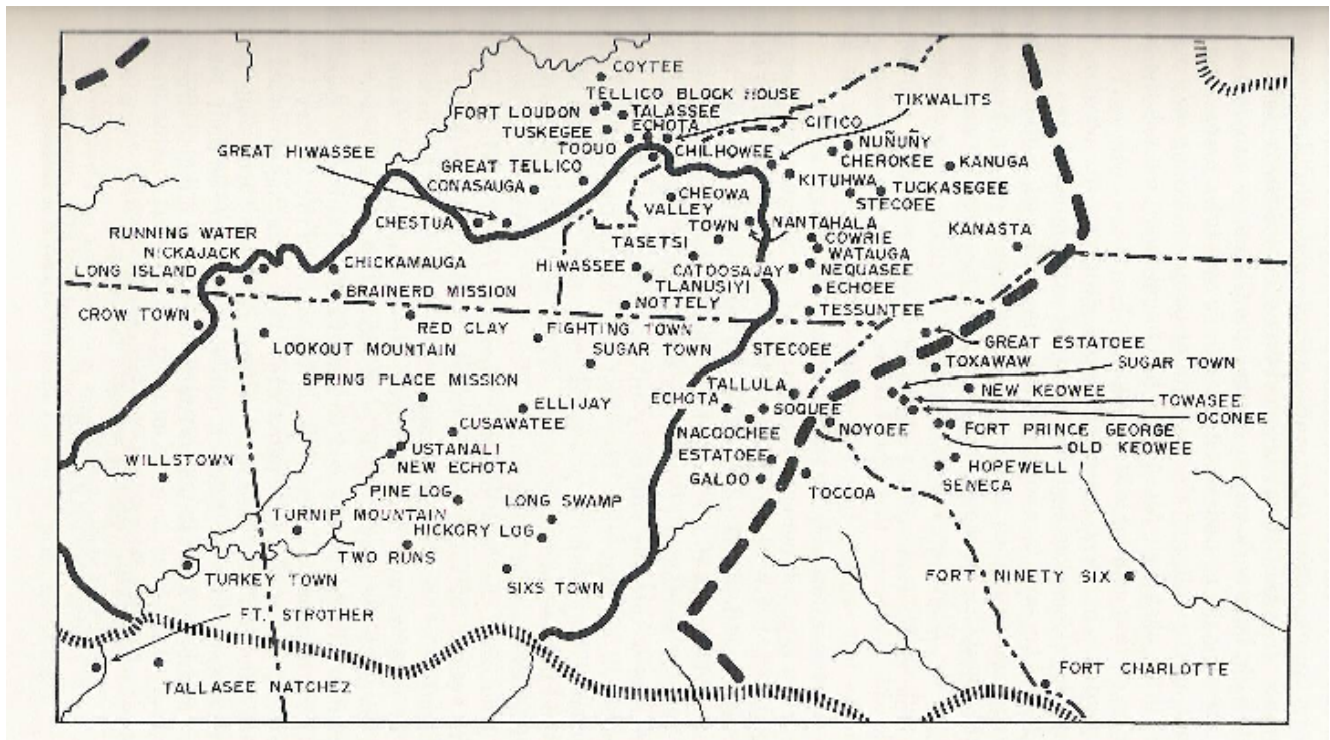


Illustration 1, Cherokee Towns as drawn by Mooney. *Historical Sketch of the Cherokee*

Before removal in the 1830s, Cherokees lived in the valleys of the southern Appalachian Mountains where they constructed towns organized around a clan system. Clans were large extended families who traced their kinship to an ancient ancestor. Towns had members from all clans, but within the towns, clan members lived together in several distinct households. Clans were matrilineal; that is, they traced their kinship only through women. The permanent residents of a household were women of the same clan. Unmarried brothers and sons lived with their mothers and sisters until they married, then they moved into their wives' homes, but clan identity remained the same irrespective of marriage. A woman's brother or maternal uncle, if she had no brothers, held the most important male role in children's lives, the equivalent of fathers in Euro-American society. Uncles were clan kin, fathers were not. Clans organized virtually every aspect of Cherokee life—where one lived, whom one married, where one sat in ceremonies, the prayers one said, and the relationship one had with all other people. Cherokees depended on

clans to protect them, exact retribution for wrongs done them, and avenge their deaths so that their souls could go to the darkening land. Membership in a Cherokee clan made a person a Cherokee, so clan identity provided a national identity. Clans also meant that no one was an orphan in Cherokee society. Matrilineal ties provided children with maternal aunts who acted as mothers, providing a home, food, and education and linking them to their clan network. Any woman of a child's clan had maternal responsibilities for that child just as any male member of the clan offered protection and assumed other masculine roles in the family. Even if a child was a stranger to these clan relatives, the mutual obligations defined by clan and kin insured familiarity and security. These rules of kinship, rooted in the clans, rendered the order and harmony that defined Cherokee society.

In the early nineteenth century the political role of clans—maintaining internal order, exacting retribution from enemies through blood vengeance, and providing national identity—was gradually replaced by a centralized republican government. Contact and intermarriage with non-Indians led to new kinds of families that were male-headed and nuclear. The traditional relationship between kinship and politics underwent significant change. The Cherokees moved from a matrilineal clan centered structure to an elected national council endowed with political power. Articles of government in 1819 provided for electoral districts with lines drawn irrespective of town and clan. Each district selected its representatives to represent its interests in council. Rather than government that emanated from towns and decisions made by consensus, the new Cherokee council reflected a shift of power away from towns and a reduction the role of clans. In 1827, the Cherokees adopted a constitution and a republican form of government for the Nation that made no provision for the kin-based social organization that had structured Cherokee life.

As clans ceased to be the basis of Cherokee government, family issues remained a concern to the Nation, and the emerging national government did not ignore the rules of kinship that lay at the heart of Cherokee political organization. The earliest written laws enacted by the National Council defined responsibilities to children and the acceptable structure of family. The first written law, enacted in 1808, gave men the right to pass property to their orphan children and to their widows in the event of their deaths.⁷ This law expanded definitions of children's kin to include fathers who, under traditional rules of kinship, were not related to their children and had no obligation to provide support or security to them; that had been the responsibility of their mothers' brothers, who were their clan kin. This law, however, did not dismantle matrilineal practices. An 1819 law recognized "[t]he improvements and labors of our people by the mother's side [as] inviolate during the time of their occupancy"⁸ These laws continued to support the matrilineal definitions of kin while simultaneously expanding the role fathers might play in the lives of children. Cherokee law also expanded the definition of kinship so that children of non-Cherokee mothers could be citizens of the Nation. In 1825, the Council enacted a law that "the children of Cherokee men and white women, living in the Cherokee Nation as man and wife, be...hereby acknowledged, to be equally entitled to all the immunities and privileges enjoyed by citizens descending from the Cherokee race, by the mother's side."⁹ The previous year the Council also acknowledged the citizenship of the children of the warrior Shoe Boots by his African American slave.¹⁰

⁷ "Whereas, fifty-four towns and villages have convened," 26 October 1819, *Laws of the Cherokee Nation: Adopted by the Council at Various Periods* (1973; Tahlequah: Cherokee Advocate Office, 1852), 5, Hereinafter *LCN* 1852.

⁸ "Resolved by the National Committee and Council," 10 November 1825, *LCN* 1852, 10.

⁹ "Resolved by the National Committee and Council," 10 November 1825, *LCN* 1852, 57.

¹⁰ Miles pointed out that this extension of citizenship to Shoe Boots's children was due, in part, to the goodwill the Council felt toward Shoe Boots and because of legal loopholes that the Council addressed just two weeks after

Missionaries, who first entered the Cherokee Nation in the 1760s, encouraged the reconfiguring of Cherokee families.¹¹ They sought nuclear, male-headed families that forced men to become primarily responsible for their children, but the Christian family also limited the number of adults responsible for children and made “orphans” more likely. By the time of removal, Moravians, Baptists, the American Board of Commission for Foreign Missions, and Methodists supported missions in the Cherokee Nation. All, except the Methodists, operated residential schools, but these Protestant denominations did not care for most parentless children. Instead kin continued to provide for them. The children who did attend the mission schools tended to be those of well-to-do and politically prominent Cherokees instead of impoverished orphans. The children of chiefs Charles Hicks and John Ross, for example, attended mission schools for the advantages and English language education conveyed rather than out of necessity. Few parents needed to surrender children, but if they did, they turned them over to missionaries reluctantly. A poor Cherokee widow took her eight year old daughter to the Brainerd Mission in Tennessee to acquire the food, clothing, and education that Brainerd offered. Despite assurances from the mother that she would not remove the child from the mission, eight days later she returned and did exactly that.¹² Missions, therefore, might serve as an occasional safety net for children, but they were not orphanages.

ruling on Shoe Boots petition. Tiya Miles, *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley: University of California Press, 2005), 125-128.

¹¹ Mooney noted that not much resulted from encounters with John Martin, the earliest Presbyterian missionary. James Mooney, *Historical Sketch of the Cherokee*, (2005: Brunswick: Smithsonian Institution Press, 1975), 73-74. McLoughlin points out that some towns received John Martin for several weeks, but ultimately asked him to leave. The Moravians established the first sustained missionary efforts in the Cherokee Nation in 1799. William McLoughlin, *Cherokee Renaissance in the New Republic* (Princeton: Princeton University Press, 1986), 72-73.

¹² Entry of 14 November 1818, Joyce B. Phillips and Paul Gary Phillips, eds., *The Brainerd Journal: A Mission to the Cherokees, 1817-1823* (Lincoln: University of Nebraska Press, 1998), 92.

Removal in 1838-1839 disrupted mission schools and jeopardized the stability of the Cherokee Nation, but the removal treaty strengthened the Cherokee government's ability to provide for orphans. Annuities from earlier treaties contributed to a school fund that helped support education. The Treaty of New Echota, in addition to mandating removal, included a provision for an increase in the school fund investment from \$50,000 to \$200,000. From the annual interest on the investments, the Nation planned to establish a common school system and a "literary institution of a higher order." Of the \$200,000 school investment, \$50,000 "constitute[ed] an orphan fund" for the "support and education of orphan children as are destitute of the means of subsistence."¹³ The Treaty placed fiscal control of educational and orphan projects with the Cherokee Nation, not with the missionaries who until that time provided the only source of academic education to Cherokee children.¹⁴

In the wake of removal the Cherokee Nation passed legislation that prohibited missionaries from entering the Nation without first obtaining a license.¹⁵ This act reflected dismay at the close relationship between members of the treaty party and some missionaries. In particular, the Nation thwarted attempts by the Moravians, who were close to the pro-treaty Ridge family, to establish a mission school by opening a public institution "at [their] door."¹⁶ Growing Cherokee nationalism meant that the Nation now assumed primary responsibility for education, even when it cooperated with missionaries. In 1842, the Cherokee Nation considered

¹³ Treaty with the Cherokee, 1835, Article 10, Charles J Kappler ed.. *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), <http://digital.library.okstate.edu/kappler/intro.html>, 443.

¹⁴ In rare instances, Cherokee elites secured private tutors for their children instead of sending them to the missions. Entry of 11 April 1815, Rowena McClinton, ed., *The Moravian Springplace Mission To the Cherokees, Volume 2* (Lincoln: University of Nebraska Press, 2007), 66.

¹⁵ "An act relative to schools," 26 September 1839, *LCN* 1852, 30-31.

¹⁶ H.D. Reese to Colonel George Butler, 4 September 1853, *Report of the Commissioner of Indian Affairs*, 33rd Cong., 2nd Sess., (Washington: A.O.P. Nicholson, 1854-55), 330, Hereinafter *Report*, 1854-55.

a partnership with the Methodist Episcopal Church, South, to establish a Manual Labor School for the “exclusive” use of orphans. Although a committee comprised of both Cherokees and Methodists drafted a plan for the Orphan Institute, in 1849 the Cherokee National Council rescinded their collaboration until a more suitable plan could be developed.¹⁷ Missions cared for orphans only by individual arrangement.¹⁸ For example, from 1852 to 1861, Missionary Jerusha Swain housed a succession of four young women in her home, including ten year old orphan Nancy Watts whose uncle arranged for her care.¹⁹ Furthermore, fellow missionary Elizur Butler housed “one orphan Cherokee girl, who ha[d] learned to read and write.”²⁰ Entrusting orphans to missionaries, however, was not national policy.

In the aftermath of the dislocation and destruction caused by removal, the Cherokee Nation preferred that Cherokee families care for orphans. In December 1841, Principal Chief John Ross approved the Public School Act that established a national school system and placed orphan children in each school district in a “good steady family convenient to the school.”²¹ The public school system administered this program. Initially, every common school received a two-hundred dollar allocation for its orphans. In 1842, the total amount was \$2200.00 for the eleven schools in operation.²² As the number of schools expanded, so did the budget. By 1847, the

¹⁷ Sidney Henry Babcock and John Y. Bryce, *The History of Methodism in Oklahoma: Story of the Indian Mission Annual Conference of the Methodist Episcopal Church, South* (Oklahoma City, 1937), 99-100.

¹⁸ “A bill on the subject of an Orphan School,” 19 December 1842, *LCN* 1852, 75.

¹⁹ Meg Devlin O’Sullivan, “Missionary and Mother: Jerusha Swain’s Transformation in the Cherokee Nation, 1852–1861,” *Chronicles of Oklahoma* 83 (Winter 2005–06): 452–65.

²⁰ Elizur Butler to P.M. Butler, 19 June 1843, Cherokee Agency, 1836-1880, Letters Received by the Office of Indian Affairs, 1824-1880, Record Group 75: Records of the Bureau of Indian Affairs, National Archives and Record Services, Washington, D.C., M234; Reel 87, Frame 81-82. Hereinafter M234.

²¹ “An act relative to Public Schools,” 16 December 1841, *LCN* 1852, 59-61.

²² “An act for Public School Appropriation,” 23 December 1842, *LCN* 1852, 76-77; P.M. Butler to T. Hartley Crawford, Commissioner of Indian Affairs, 30 September 1843, M234, Reel 87, frame 49-72.

annual appropriation for orphan care had reached \$3600.00.²³ Ideally, the Superintendent of Schools distributed orphans equally over the common schools, but in actuality, the number of orphans assigned to each school varied. Occasionally, school district budgets failed to meet the needs of orphans. In 1843, for example, two families that boarded orphans attending the Skin Bayou School, taught by Robert Benge, requested additional funds from the National Council for John Benge, who boarded two orphans, and Michael Waters, who kept one.²⁴ The Council authorized \$24.00 and \$12.00 respectively for these men. The council also moved to make those caring for orphans more fiscally accountable to the Nation and specified that the cost to board an orphan could not exceed four dollars per month.²⁵ This amendment to the Public School Act also required the Superintendent to include the “[n]ames and condition of the orphan children” in the annual reports.²⁶ The Superintendent, a paid national employee, became a quasi-social worker whose responsibilities now included monitoring the orphans funded by the nation.

Throughout the 1840s, the Nation continued to expand its involvement in and commitment to the condition of its children. Traditional Cherokee family practices had required extended matrilineal kin to care for children in the event of the mother’s death, but the Council deviated from this practice when it made either surviving parent the guardian of the children in the event of the other parent’s death. In the eyes of the law, a father’s responsibilities to his motherless children replaced those of matrilineal kin. The Council further specified that if a parent “shall be incompetent to discharge the duties devolving upon them as guardian, then the

²³ “Enacted by the National Council,” 22 November 1847, *LCN* 1852, 165; “An act making appropriation for the support of Public Schools for the year 1849 and for other purposes,” 10 November 1848, *LCN* 1852, 186.

²⁴ “An act for the benefit of John Benge—for \$24.00,” 19 December 1843, *LCN* 1852, 101; “An act for the benefit of Michael Waters,” 8 January 1844, *LCN* 1852, 105.

²⁵ “An act further to amend an Act relative to Public Schools,” 23 December 1843, *LCN* 1852, 101-102.

²⁶ *Ibid.*

children shall be dealt with as the law directs.”²⁷ The Council asserted a right to intervene in matters of guardianship and assumed the responsibilities of parents by assigning children without competent parents to families who “regularly sent [them] to school.” Throughout the 1850s the number of orphans served under the law fluctuated between 110 and 120.²⁸

In the 1850s, as part of a larger financial crisis, the Cherokee Nation began to cut back on services to children. The Cherokee Nation had experienced remarkable growth in the years immediately after removal. In addition to the development of its common school system and its orphan services, which received dividends from investments of the School Fund and Orphan Fund, the Nation built a courthouse, re-established a national newspaper, opened male and female seminaries, and developed three bustling towns. These improvements, coupled with the financial losses resulting from removal, taxed the Nation’s resources. The Nation relied on credit secured by the anticipated payment of funds owed under the removal treaty, but the United States government refused to make per capita payments until the Old Settlers, the Treaty Party, the North Carolina Cherokees, and the Removal Party settled their disputes. These fiscal strains collided in the 1850s.²⁹ Although the Nation attempted to sell the Cherokee Outlet to stave off financial ruin, negotiations broke down repeatedly, first among Cherokee officials then between Cherokee delegates and Congress. Financial ruin threatened.

By 1856, the Cherokees had closed their seminaries in order to protect funding for their common schools. The same year, the National Council required parents or guardians to pay the cost of food for students in the public schools, but it did not ignore the Nation’s responsibility for

²⁷ “An act relative to guardians,” 18 November 1847, *LCN* 1852, 164-165.

²⁸ H.D. Reese to Colonel George Butler, 4 September 1853, *Report*, 1854-55, 33rd Cong., 2nd Sess., 330.

²⁹ William G. McLoughlin, *After the Trail of Tears: The Cherokees Struggle for Sovereignty, 1839-1880* (Chapel Hill: University of North Carolina Press, 1993), 59-67.

orphans. Accepting its obligation to the most vulnerable, the Council emphasized the “duty” of the Board of Directors for each school district to request funds from the Council for the costs of food for “orphans or of children or youth whose parents are very poor.”³⁰ Nevertheless, the Council mandated that Superintendent of Schools Walter Adair Duncan reduce the number of orphans to eighty-three and allocate them equitably among all the public schools. This reduction cut services to thirty-four orphans for whom the Nation had provided in the 1856 school year. The Council did not advise Duncan how to make these reductions. The next year Duncan reported a decline in services to orphans, but he explained that at “some of the schools the people agree among themselves to put in more orphans than are required by law, and for four of them to be reported and paid for as the law provides, and the money to be divided pro rata among all the orphans at the school.”³¹ Children denied services or relocated for the purpose of equalization almost certainly faced disruption of their daily lives, but there was little the Cherokee government could do under the circumstances. Despite the Council’s attempts to operate a family-based system of care administered by public officials, budgetary constraints hindered its ability to act as surrogate kin.

With the seminaries closed, debts unpaid, and orphan care reduced, the Cherokee Nation faced another crisis. The U.S. Civil War reopened old wounds, and an internal war devastated the Nation. As early as 1862, Superintendent for Indian Affairs for the Southern Superintendency W.G. Coffin reported that two thousand men, women, and children were

³⁰ “An act to reduce the numbers of Orphans attending Public Schools,” 23 October 1856, 1830, CNP-6, fol. 623-624, Cherokee Nation Papers, Western History Collections, University of Oklahoma Libraries, University of Oklahoma, Norman, Oklahoma.

³¹ Walter Adair Duncan to George Butler, 18 September 1857, *Report of the Commissioner of Indian Affairs*, 35th Cong., 1st Sess., (Washington, DC: GPO, 1857-1858), 505. Hereinafter *Report*, 1857-58.

“entirely barefooted, and more than their number have not rags to hide their nakedness.”³² The war left the seminaries in disrepair, the school houses burned, and the people destitute.³³ Unlike removal, when disease disproportionately claimed the lives of the old and the young, war ravaged the young adult population as well. Cherokee men served on both sides in the conflict as well as in irregular units at home, but soldiers were not the only casualties. “Marauding parties,” Colonel George Harlan reported, “murdered all the old men and boys large enough to aid their wives and mothers in raising a crop whom they could catch, and threatened the women with a like fate if they did not abandon their crops.”³⁴ The war left 1200 children orphaned.³⁵ By way of comparison, the number of orphans in the Cherokee Nation at the close of the Civil War was ten times that served annually in the common schools between removal and the war.

The Treaty of 1866 between the United States and the Cherokee Nation provided that fifteen percent of the income from the Cherokee Nation’s investments go annually to the Cherokee Orphan Fund, and the Council resumed orphan care in families. As the pre-war experience reflected, however, foster families did not provide the most cost effective system of care, and the number of orphans and the destitution of the Nation rendered such a system impossible.³⁶ In 1866, the Council appointed a committee to “arrange and negotiate” with churches to establish an orphanage, but such an institution never materialized. Instead, the Cherokee Nation struggled to care for orphans in the pre-war fashion. In 1867, in an effort to

³² W.G. Coffin to W.P. Dole, 13 February 1862, *Report of the Commissioner of Indian Affairs*, 37th Cong., 3rd Sess., (Washington, DC: GPO, 1862-63), 289-291. Hereinafter *Report*, 1862-63.

³³ J. Harlan to E. Sells, 1 October 1865, *Report of the Commissioner of Indian Affairs*, 39th Cong., 1st Sess., ((Washington, DC: GPO, 1866), 468-470. Hereinafter *Report*, 1866.

³⁴ *Ibid.*

³⁵ William G. McLoughlin, *After the Trail of Tears: The Cherokees Struggle for Sovereignty, 1839-1880* (Chapel Hill: University of North Carolina Press, 1993), 241.

³⁶ Treaty with the Cherokee, 1866, Article 23, Kappler ed., *Indian Affairs*, 949.

evaluate the specific conditions of orphan children, the National Council authorized a census to determine the number of orphans between the ages of 5 and 15 for the purpose of establishing an asylum.³⁷ Aware of the time consuming nature of a census, the Council, four days later, appropriated funds for clothing and boarding orphans through the common schools.³⁸ In 1871, the Superintendent of the Common Schools reported that “[t]here are now 236 orphans provided for in private families by means of the orphan fund.”³⁹ Six months later, in March of 1872, the Orphan Asylum opened with fifty-four students in the Cherokee Male Seminary building, which provided a temporary site until a permanent facility could be located.⁴⁰ The institution’s population increased rapidly. In 1873, the Asylum served ninety students, forty-three boys and forty-seven girls.

³⁷ “An Act Authorizing the Principal Chief to appoint agents to take the Census of the Orphans,” 10 December 1867, *Laws of the Cherokee Nation Passed During the Years 1839-1867*, (1868; St. Louis: Missouri Democrat Print, 1973), 183. Hereinafter *LCN* 1868.

³⁸ “Making an appropriation for the Support of the Public Schools for the year 1868,” 14 December 1867, *LCN* 1868, 186.

³⁹ John B. Jones to F.A. Walker, 1 September 1871, *Report of the Commissioner of Indian Affairs*, 42nd Cong., 1st Sess., (Washington, DC: GPO, 1871-72), 616-621. Hereinafter *Report*, 1871-72.

⁴⁰ “An act authorizing orphan institutes,” 23 October 1866, *LCN*, 65; John B. Jones to F.A. Walker, 1 September 1871, *Report* 1871-72, 616-621.



Illustration 2, Map of the Cherokee Nation. *Historical Atlas of Oklahoma*

In November 1871, the Council appropriated twenty-thousand dollars for the construction of a new facility or the purchase of an existing location large enough to accommodate two hundred children.⁴¹ Ultimately, the Council chose the Lewis Ross plantation located along the Grand River. Lewis Ross, one of the wealthiest men in the Nation, had died in 1860 leaving behind a three story brick house and a collection of farm buildings and slave cabins. The \$28,000.00 asking price exceeded the proposed budget, and, as the executor of the Lewis Ross estate, Principal Chief William P. Ross stood to profit from the sale of the property. The price and the political controversy delayed the acquisition of the property, but in 1875, the Orphan Asylum Board of Directors finalized financial arrangements for the acquisition of the Lewis

⁴¹ *Cherokee Advocate*, 18 April 1874.

Ross estate and an adjoining tract. The property totaled 340 acres, a sufficient acreage for a manual labor school. The structures on the Ross plantation required modification. The red brick house underwent renovations that added east and west wings. The west wing addition alone cost approximately \$8000.00.⁴² Restoration included accommodations for staff: the matrons quarters ranged from “small but comfortable” to “large” and “fine.”⁴³ The impressive façade conveyed a sense of permanence and attested to the high priority the Nation assigned to the care of its most vulnerable citizens. Pillars framed the front of the house and a granite porch lined the exterior. Workers converted the former slave quarters into a blacksmith’s shop.⁴⁴ A granite spring house provided water to the Asylum, the only trace of the facilities that exists today. In 1877, the Asylum installed a pump with the ability to supply water directly to the main building. The amenities the Asylum offered far exceeded those most Cherokee families had available, but the model for the Asylum remained the family.

⁴² 13 October 1877, Office of the Asylum Board of Trustees to Honorable Charles Thompson, Cherokee Nation Papers, reel 6, fol. 684.

⁴³ “In the fall of 1885,” MS 120, Emma Fleming Papers, Cherokee Heritage Center Archives, Tahlequah Oklahoma.

⁴⁴ Mary Riley Roberts, “Cherokee Orphan Asylum Was Established in Year 1873,” *The American Indian*, November 1929, 12.



Illustration 3, Cherokee Orphan Asylum with both additional wings added.

Oklahoma Historical Society.

Cherokee life centered on the household, both traditionally and in the late nineteenth century. The home was a physical dwelling, but it was also the primary unit of production. Because the Cherokee Nation held land in common, families could establish a homestead with extended family and farm communally. Families subsisted on farms that ranged in size from five to several hundred acres and produced the staples of corn, beans, oats, peas, pumpkins, and squash. Many families owned pigs, horses, and cattle.⁴⁵ The entire family participated in planting and harvesting, but the daily maintenance continued to be a pursuit of mothers, children, and any older family members living with them. Some men wholly adopted agricultural pursuits

⁴⁵ V.A. Travis, "Life in the Cherokee Nation A Decade After the Civil War," *Chronicles of Oklahoma* 4 (1926): 16-30.

as a legitimate means of supporting their families, but others hired laborers or rented their lands. Hunting and fishing, certainly not the mainstay they had been in the seventeenth and eighteenth centuries, still contributed to the subsistence of families. All family members had to work together to support themselves, an economic reality that formal education often jeopardized. School separated children from their families if they did not live close by and placed an economic burden on families. Even parents living within the vicinity of a school often sent their children sporadically because they needed their labor. The educational effects of child labor had long been a concern of both missionaries and common school officials, but both recognized the economic need.⁴⁶ They also understood that children's lives, even those receiving education, remained rooted in the home, and the needs of the household came first. For the Asylum to resonate with Cherokees, it needed to replicate the activities and relationships of home as well as the value placed on the community rather than the individual.

The Council selected Walter Adair Duncan to serve as the first superintendent of the Orphan Asylum, and Duncan recognized that the Asylum would need to "supply the place of home and parent to the orphan." Duncan's philosophy reflected the importance that both he and the Cherokee Nation placed on families as more than simply close biological kin.⁴⁷ Duncan had come to Indian Territory as a boy on the Trail of Tears. Like many citizens of the Cherokee Nation, including Principal Chief John Ross, Duncan was associated with the Methodist Episcopal Church. Duncan served the Indian Conference as an itinerate parson throughout the Cherokee Nation and Indian Territory and knew well the educational projects of the Methodists in the region, which included several manual labor institutes. In addition to his service to the

⁴⁶ "Whereas much inconvenience and expense," 26 October 1820, *LCN* 1852, 2-3.

⁴⁷ "History of an Old School now extinct From Facts Gathered by James R. Carselowey," 102; 416-422, *Indian Pioneer Papers*, Western History Collections, University of Oklahoma Library, <http://digital.libraries.ou.edu/whc/pioneer>, Hereinafter IPP.

church and to his Nation, Duncan served a one year appointment to the Methodist's Honey Hill School.⁴⁸ From 1873 until 1882, the Methodist Episcopal Church, South, appointed Duncan as parson for the Orphan Asylum.⁴⁹ In his philosophy of education, Duncan linked agricultural labor, academic endeavors, and nationalism, but these pursuits rested on the family. "In the order of nature, home precedes the school," Duncan wrote. "Society has always adjusted itself in accordance with those conditions, and by consequence, as a general rule, the sphere of the school works entirely outside the circle of home." But Duncan saw no reason why this should be the case. Duncan envisioned the asylum as a place where orphans found a home, parents, and the affection that emanated from the home and family as well as the responsibilities that family entailed. The Asylum would be a home that included labor, a common dwelling, shared meals, and a school marked by an academic education.

⁴⁸ Babcock, *The History of Methodism in Oklahoma*, 86.

⁴⁹ Walter Adair Duncan and Joseph F. Thompson received appointments by the Methodist Episcopal Church, South as parsons to the Asylum for twenty-one of its thirty years of operation at the Salina location. Babcock, *The History of Methodism in Oklahoma*, 341-368, 390-402.

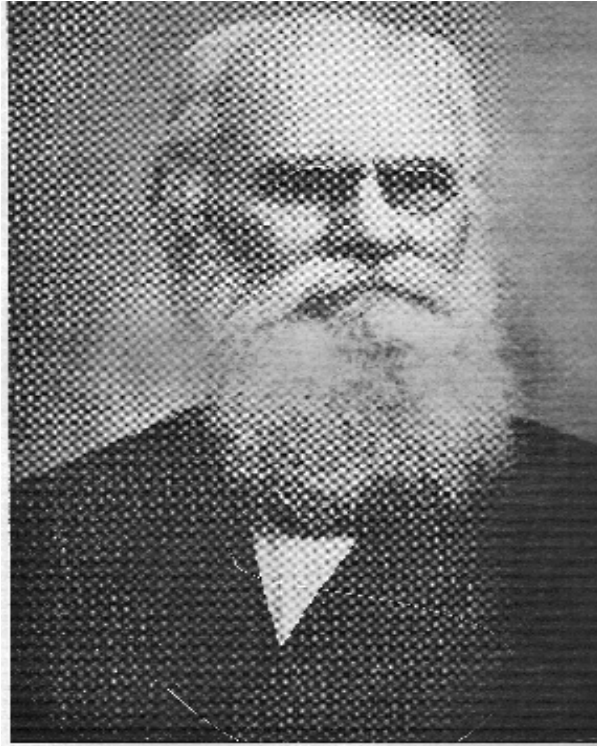


Illustration 4, Walter Adair Duncan.

From History of Methodism in Oklahoma

The children's education at the Asylum offered curricular features similar to the common schools and the seminaries. The common schools served younger children and were the modern equivalent of an elementary school; seminaries provided a high school curriculum and preparation for professional work or university training. In 1878, Duncan placed a book order for arithmetic, grammar, and geography books as well as for slates, crayons, and pencils.⁵⁰ Students studied English grammar, geography, arithmetic, algebra, history, and physiology, and a small portion of the students completed Robinson's geometry.⁵¹ In the mid-1880s, the Orphan Asylum employed a music teacher.⁵² Like the common schools, the Asylum hired qualified

⁵⁰ Book Order from Robert D. Patterson & Co., 6 March 1878, CNP, reel 7, folder 713.

⁵¹ *Cherokee Advocate*, 6 July 1878.

⁵² J.T. Adair to Emma Dunbar, 9 October 1885, Fleming Papers.

teachers who passed the necessary examinations administered by the Teacher's Institute held annually at one of the Cherokee Nation's common schools. The three day Teacher's Institute featured lectures and discussions from members of the Board of Education and school personnel. Asylum superintendents participated in the institutes. In 1872, Duncan contributed to the discussions of grammar education. Many of the teachers in the Nation's schools were non-Indian. The Seminaries, in particular, often selected teachers recruited from the eastern schools outside the Nation. The Asylum also hired staff and teachers from the east, but eventually employed more graduates from its own seminaries than from eastern colleges. In its first year of operation, the Asylum employed three teachers, two of whom were Cherokee, and one matron, who was a widow from Delaware.⁵³ By 1876, teachers and matrons totaled seven, the majority of whom were Cherokee.⁵⁴ Other staff, who included cooks, farmers, and washerwomen, were Cherokee. Most of the employees lived on-site. When Secretary of the Board of Education J.T. Adair extended an offer of employment to Iowa teacher Emma Dunbar, it included a salary of "fifty Dollars per month, board, lodging, washing, and room furnished free."⁵⁵ As was the case with the orphans, the Asylum provided its employees with a home, employment, and a community.

Language presented a problem in all Cherokee educational settings. Increasing the number of children from culturally traditional families in the common schools required the use of some Cherokee in the classrooms, a great difficulty for the common schools that employed

⁵³ John B. Jones to F.A. Walker, 1 September 1871, *Report 1871-72*, 616-621.

⁵⁴ Payments totaling, 19 December 1876, CNP, reel 6, fol. 658.

⁵⁵ J.T. Adair to Emma Dunbar, 9 October 1885, MS 120, Fleming Papers.

teachers who spoke only English.⁵⁶ A student's ability to read, write, and speak English made common school education much more accessible and "full-bloods" often felt discriminated against in the public schools and even more so in the seminaries where few concessions were made for traditional or "full-blood" students.⁵⁷ As late as 1900, a little over seventeen percent of the "full-blood" population was monolingual in Cherokee. The Asylum, because of its bilingual staff and its large number of Cherokee speaking children, employed the Cherokee language with fewer obstacles and less resistance than either the common schools or the seminaries. Many students spoke only Cherokee when they entered the Asylum, so it seems unlikely all students progressed at the same rate. Rather than denying children their language, teachers employed Cherokee to communicate with them, and students used Cherokee freely within their classrooms. Language barriers, did exist, however. Ms. Emma Dunbar, recounting her first experience in an Asylum classroom, remembered one Cherokee-speaking child who "stamp[ed] her foot and exclaim[ed]"—"I-tee-see-col-ee" meaning I can't understand you."⁵⁸ Even Cherokee faculty and staff did not necessarily speak their tribal language. In an article for the *Cherokee Advocate*, Duncan lamented, "I do so much wish that I could speak the Cherokee well enough to converse in it; I could explain many things pertaining to the nature of our public institutions."⁵⁹ In contrast to the students who attended the Seminaries, "full-blood" children comprised the majority of the students at the Asylum.⁶⁰ Duncan's public statements and Emma Dunbar's private observations

⁵⁶ W.A. Duncan to George Butler, 25 September 1856, *Report of the Commissioner of Indian Affairs*, 34th Cong., 1st Sess., (Washington, DC: GPO, 1856-57), 690-694. Hereinafter *Report*, 1856-57.

⁵⁷ Devon A. Mihesuah, *Cultivating the Rosebuds: The Education of Women at the Cherokee Female Seminary, 1851-1909* (Urbana: University of Illinois Press, 1993), 80-84.

⁵⁸ "The Cherokee At School," Fleming Papers.

⁵⁹ *Cherokee Advocate*, 12 August 1876.

⁶⁰ Mihesuah, *Cultivating the Rosebuds*, Appendix A, 117; *Cherokee Advocate*, 6 July 1878.

indicated that the Asylum managed to maintain key aspects of Cherokee culture while melding them with an English language formal education.



Illustration 5, Orphan Asylum Kindergarten Class, 1886-1887. Cherokee Heritage Center.

In addition to their general academic pursuits, students acquired skills, including how to set type on the printing press that Duncan acquired in 1881. Under Duncan's direction, the students began to publish *The Children's Playground*, a supplement to Duncan's *Orphan Asylum Press*, which printed Cherokee Nation political news as well as news from the states and from abroad. *The Children's Playground*, which paralleled publications of the Male and Female Seminaries, featured students' short poems and compositions and charted their academic progress, thus offering a glimpse into the children's world during this period. In its first publication, the editors Lizzie Stinson and William Cobb appealed to the National Council to

erect a monument to Sequoyah, who had invented a system for writing Cherokee, as a measure of their love and admiration for both the Nation and its institutions. Another article heralded the Asylum as an “institution...founded upon a proper basis. It is as truly a part of the design to teach suitable branches of industry as it is to impart a knowledge of the ordinary academic course. Manual skill is to be made as creditable as it is often more useful than the ability to conjugate a verb or read a line in Greek.”⁶¹

Some elements of the paper mimicked Duncan’s own attitudes about the Asylum; other sections focused on youthful concerns. The Asylum students exchanged papers with other institutions, including the Circular of Information of the Bureau of Education, The Indian School at Carlisle Barracks, the Vacation Colonies for Sickly Children, and Progress of Western Education in China and Siam.⁶² Each issue included “Guess My Subject” or “Guess Who It Is,” descriptions of students written by classmates. Sallie Walker asked, “Who wears ribbons round her neck and a bow on her hair, and is good-looking. She wears her ear-rings every day and I think they look well on her. She has black eyes, black hair and dark skin. Her ruffle is lace; her bask is white; her dress-skirt is black. I love to see her with a white bask and a black dress-skirt. Her sleeve ruffles are wide.” Even more descriptively, Mary Riley wrote, “She is a little girl about 12 or 13 years old. She is good and kind to all of the girls and we love her very much. Her complexion is dark. She has black hair and eyes and is about as tall as Ida Langley...She knows a great deal about work to be so small. She has a very sweet voice and sings nicely. She seldom gets scoldings like some of the girls, for she always attends to her own work. She is never idle; she is either reading or employed in something else equally as useful.” These

⁶¹ *The Asylum Press*, 7 October 1880, CNP, reel 7, folder 744.

⁶² Ibid.

guessing games, amusing perhaps to outsiders, could only be played by Asylum residents since they alone would be able to solve the puzzle.

The paper featured a wide variety of student authors. Some articles took a moralistic tone. Lizzie Stinson contributed a Composition entitled “If We Could Mind Our Own Business.” In it she rebuked gossip and reminded classmates, “We should all get along much better if we would mind our own business, and escape much trouble and hard feeling. We would make more friends and fewer enemies.” She also warned that examinations would expose those who had heeded her advice and those who had not.⁶³ Many of the articles offer brief descriptions of various objects, perhaps composed as part of a longer writing assignment, but in these the children revealed their individual views of events, both exceptional and mundane, of Asylum life. Jennie Duncan mourned the loss of a tree to a storm: “All of the other trees look like they are crying about it. Every body seemed to like to sit under it. I miss the tree very much.”⁶⁴ Annie Mills wrote “Little girls like to play under the trees. The boys like to climb trees. I like to play under trees in summer.”⁶⁵ M.E. Pitcher, in an article entitled “Country Life,” not only revealed his own love for that lifestyle, but also that “Lizzie Stinson and I are going to live in the country, when we leave the Asylum.” Perhaps Lizzie would have preferred that he mind his own business.

News about the Asylum also appeared in the national press. Duncan submitted a series of articles to the *Cherokee Advocate* that celebrated and defined the Orphan Asylum as the mark of

⁶³ *The Children's Playground*, 9 June 1881, Special Collections, Northeastern State University, Tahlequah, Oklahoma.

⁶⁴ Ibid.

⁶⁵ *The Children's Play Ground: Orphan Asylum newsletter*, 5 May 1881, MS 154, fol. 15, Duncan Collection, Cherokee Heritage Center Archives, Tahlequah, Oklahoma.

advancement of the Nation.⁶⁶ Duncan wanted the Cherokee people to look upon the Asylum with affection and “build it up.”⁶⁷ In an article on the “Nature of the Cherokee Orphan Asylum,” Duncan rhetorically asked “what is the real basis of a public enterprise? It should be founded in the affection and confidence of the people. The people are the ultimate sovereigns.” Duncan reassured families skeptical of the value of education that the Asylum continued to provide the most important aspects of home as well. One Cherokee who visited the Asylum reportedly commented that the conditions of the Asylum were so prosperous that his own children would be better off if he were dead.⁶⁸

The Asylum welcomed visitors on a number of occasions. Church services opened the institution’s doors to non-resident Methodist congregants, and the Asylum advertised examinations and invited the public. The most prominent events at the Asylum became the opening and closing ceremonies, which validated Cherokee traditions and integrated Cherokee nationalism.⁶⁹ In traditional Cherokee society, summer ushered in a series of key rituals that led to the Green Corn Ceremony. The Green Corn Ceremony celebrated the arrival of the new corn and required a thanksgiving feast, ritual cleansing, and important cosmological and social lessons. Men and women each worked to refurbish and purify public spaces. People erected temporary structures to accommodate kin who traveled to attend the ceremonies. They danced and played ball. The Green Corn Ceremony reconciled and revitalized the community.⁷⁰ These rituals brought the community together and reminded kin of their obligations to maintain

⁶⁶ *Cherokee Advocate*, 11 March 1876.

⁶⁷ *Ibid.*, 24 August 1872.

⁶⁸ *Ibid.*, 14 February 1874.

⁶⁹ *Ibid.*, 23 June 1877; 27 April 78.

⁷⁰ Charles Hudson, *The Southeastern Indians* (1976; Knoxville: University of Tennessee Press, 2007) 365-375.

harmony and right relationships with each other. Framing the summer, the opening and closing ceremonies of the Asylum occurred in September and May respectively. Although such events were common in non-Indian schools, their timing and their observance must have resonated with Cherokees. More times than not, “the exercises on the occasion of the opening of the Orphan Asylum occup[ied] the greater part of the day...,” refreshments were kept on hand, and a basket dinner provided. By the 1880s, the “annual commencement at the Cherokee school was an occasion of absorbing interest. Preparations for the event went on for weeks. From cellar to garret the house was scoured. People came in crowds and stayed for days, many bringing their tents and camping on the grounds. Then there were great barbecues in order to provide sufficient meat for the guests and other provisions in proportion were prepared. It was a time of great merriment.”⁷¹ Closing ceremonies included the erection of a May Pole, for many Cherokees reminiscent perhaps of the ball pole located on Cherokee ceremonial grounds. The children dressed up in their finest clothes and students received recognition. The Principal Chief, Council Members, the Cherokee Agent, writers for local papers, teachers from the east, ministers, and Cherokee citizens attended the events, gave speeches, and reported on the festivities.⁷² Students graduated, some returned to surviving families, and others continued living at the Asylum until they were ready to leave.

⁷¹ “Two Years With the Cherokees,” Fleming Papers.

⁷² *Cherokee Advocate*, 22 July 1877; 6 July 1878.



Illustration 6, Closing Ceremonies at the Orphan Asylum. Oklahoma Historical Society.

In addition to its annual ceremonies, the day-to-day life of the Asylum included a plan to develop the residents' manual labor. Although he served one year as the Superintendent of Public Schools, Duncan's credentials for overseeing manual labor equaled those for implementing an academic curriculum. Duncan's early life included pursuits "divided mainly between filial service on the farm and solitary effort in pursuit of mental culture."⁷³ This was the sort of experience he sought for children at the Asylum, and he continued to labor as well as to teach. When the hired farmer was let go, Duncan assumed his duties, and the Council later approved his permanent role as both superintendent and farmer.⁷⁴ Duncan maintained membership in the Indian International Agricultural Society and supported the Nation's participation in the International Fair, an annual event held in Muskogee, Creek Nation, meant to

⁷³ *History of Rev. WA Duncan*, photocopy, Special Collections, Northeastern State University Archives, Tahlequah.

⁷⁴ Annual Board of Education Report 1878, 11 January 1878, CNP, reel 7, fol. 715.

highlight the “civilization” of the Five Tribes.⁷⁵ As early as 1856, Duncan advocated the manual labor model for orphans and argued “[a]ll cannot live here without manual labor. Each cannot be a professor, lawyer, doctor, preacher, school-master. The means, opportunities, and occasions are wanting.”⁷⁶ Therefore, he determined to prepare students to be farmers and skilled laborers.

Duncan’s previous experience prepared him for this task. The Methodist Episcopal Church through its partnerships with and work in Indian Territory operated a wide range of seminaries, manual labor schools, and academies. The curriculum in many of the schools included a combination of industrial training, Christian instruction, and an English education, all elements of the federal government’s “civilization” policies for Indians. Within the Methodist Episcopal Church Indian Conference, Duncan and his successor Joseph Franklin Thompson served, respectively, as superintendents for the Honey Hill School and the Asbury Manual Labor School. As ordained elders, both understood the financial strains faced by church schools, management challenges within national schools, and the responsibilities heaped on superintendents in their roles as “farmers, contractors, government agents, sawmill builders and operators, log cutters and haulers, blacksmiths, carpenters and general mediators between the Indians, their chiefs, and the United States authorities, both civil and military.”⁷⁷ As Cherokee citizens and officials, they also understood the educational needs and challenges faced by the Nation.

The Asylum, like many of the Methodist schools, combined academic education with manual labor. Duncan and the hired hands utilized the acreage for orchards, grazing, and crops.

⁷⁵ *Cherokee Advocate*, 1 March 1876; For a complete description and explanation of the International Fair see Andrew Denson, *Demanding the Cherokee Nation: Indian Autonomy and American Culture, 1830-1900* (Lincoln: University of Nebraska Press, 2004) 149-171.

⁷⁶ W.A. Duncan to George Butler, 25 September 1856, *Report*, 1856-57, 692.

⁷⁷ Babcock, *History of Methodism*, 93.

The Asylum, like Cherokee farms, cultivated corn as a staple. The fifteen-acre garden also produced “an abundant supply of vegetables, lettuce, mustards, peas, beans, cabbage, parsnips, onions, tomatoes, pumpkins, squash, cucumbers, melons, and turnips.”⁷⁸ Fruit trees, including the 800 ordered in 1880, supplied food as well as writing topics for the children.⁷⁹ Despite efforts to grow apples, the Asylum supplemented the crop with purchased fruit. During Duncan’s tenure as superintendent, the expenditures rarely provided for vegetables or milk. The absence of these purchases attested to 90 acres of corn, wheat, oats, and garden crops.⁸⁰ The children, despite many responsibilities related to the grounds, were not responsible for the cattle. Cherokees, in general, failed to adopt commercial cattle herding, but the Asylum kept a few for whom they hired a herder. Cattle, unless fenced, threatened acreage under cultivation, so perhaps administrators feared entrusting the essential task of keeping cows out of fields to children. The Asylum reaped sustained benefits from the cultivated acreage; the fluctuating number of cattle produced less reliable yield. The nine cows maintained during the winter of 1885-1886 failed to produce any milk. The herds sometimes supplied dairy products, but never beef. As a result, Duncan ordered beef at regular intervals.⁸¹

Staff roles seemed to reflect and encourage gendered divisions of labor and behaviors. As part of their manual labor instruction, boys learned to farm and cut wood and the matrons taught the girls to sew using materials purchased by the Asylum including coat linings, shirting, needles, buttons, and pins.⁸² Christmas presents for the girls included wax-faced dolls, bought

⁷⁸ Board of Trustees to Honorable Charles Thompson, 13 October 1877, CNP reel 6, fol. 684.

⁷⁹ Office of the Board of Education to the Honorable D.W. Bushyhead, 6 April 1880, CNP, reel 7, fol. 742.

⁸⁰ Board of Trustees to Honorable Charles Thompson, 13 October 1877, CNP reel 6, fol. 684.

⁸¹ Supply Expenses 120 days at Orphan Asylum, 31 January 1879, CNP, reel 6, fol. 704.

⁸² Estimates of expenditures, 30 September 1878, CNP, reel 6, folder 702.

“in vain” since a number of the girls inexplicably chewed their faces off.⁸³ Nevertheless, gender roles blurred. Both male and female students participated in “almost daily hunting exhibitions” for small game. Even white teacher Emma Dunbar acquired a six-shooter and participated in the hunts.⁸⁴ In addition to the women killing game, the men at the Asylum nurtured crops, another blurring of gender roles. In lamenting the loss of a favorite tree on the property Duncan’s daughter Jennie, who attended the asylum, noted “there are plenty of little maple trees coming up. Papa is trying to take care of them. In a few years they will be big and beautiful.”⁸⁵ Unlike the Seminaries which separated male and female students and staff, the Asylum provided a co-educational institution with less rigid boundaries dictating gendered behavior.

The Asylum provided social and familial relationships to staff and residents. The families of employees often lived with them at the school and set the tone for interactions. Because Superintendent Duncan’s own children attended the Asylum school, he was, in fact, a “papa,” a role he extended to the orphans. In a history of Duncan’s life, the unknown author described how the Superintendent “sheltered [the orphans] under the care of a father.”⁸⁶ Green Brier Joe, who knew Duncan when “[their] locks were burnished,” commended Duncan in a letter for “hug[ing] the Asylum to his bosom as a mother her young and tender infant.”⁸⁷ Perhaps because the niece of Reverend and Mrs. Joseph F. Thompson was enrolled as a resident, the children referred to them when they replaced Duncan as “Uncle Joe” and “Aunt Ellen.”

⁸³ “The Cherokee At School,” Fleming Papers.

⁸⁴ “Two Years With the Cherokees,” Fleming Papers.

⁸⁵ *The Children's Play Ground: Orphan Asylum newsletter*, 5 May 1881, Duncan Collection.

⁸⁶ *History of Reverend WA Duncan*.

⁸⁷ *The Children's Play Ground: Orphan Asylum newsletter*, 5 May 1881, Duncan Collection.

Matrons and washerwomen often received the title “aunt” and, with the exception of the teachers, the title of “aunt” or “uncle” applied to nearly all the men and women who worked with the children on a daily basis.⁸⁸ The children adopted familial terminology to interact with the people who lived in and contributed to their “home.” Occasionally, even teachers became fictive kin. The widow, Katherine Caleb, who came from Delaware, brought her daughter Florence with her. Florence attended the Asylum as a pupil and Caleb became a mother to other students as well. In one situation, an orphan left at the door of the asylum grew fond of white teacher Emma Dunbar. The child christened herself Agnes Dunbar, but Reverend Thompson renamed the child Agnes Thompson.⁸⁹ Whether this was an exercise of patriarchal authority or simply a desire on Thompson’s part to maintain the child’s Cherokee identity is unclear. The incident might also point to antagonism between Asylum officials and teachers from outside the community. The lack of familial titles for the teachers may signal a successful delineation between Cherokee family and non-Indian teachers.

Residents developed a variety of relationships with the adults in their lives at the Asylum. The Superintendent and teachers exercised authority over the children in ways that cooks and washerwomen did not. Staff sometimes subverted that authority. Jim Stearns, a cook, known for his generosity and care to both staff and students, packed a sack of food for a child who ran away.⁹⁰ On the other hand, attempts by teachers to discipline children sometimes resulted in hard feelings. Some children preferred the outdoors to the classroom, as was the case with Jack

⁸⁸ Kathleen Garrett, *The Cherokee Orphan Asylum* (Stillwater: Oklahoma Agricultural & Mechanical College, 1953), 30-31.

⁸⁹ “Two Years With the Cherokees,” Fleming Papers.

⁹⁰ Garrett, *Cherokee Orphan Asylum*, 27.

Young Wolf, whom the Principal teacher caught “going out the window.”⁹¹ The Asylum’s regimen deviated from traditional expectations of Cherokee men, and some youths no doubt had difficulty adapting. When some boys became “obstreperous” and refused “to respect the authority of their teachers,” asylum officials re-established “quiet and control” through the expulsion of the “turbulent and disorderly spirits.”⁹² One woman suggested to the *Advocate* that the boys’ behavior served to undermine the reputation of the institution among the public, so such harsh treatment might have been necessary.

These incidents and others like them suggest the Orphan Asylum served the interests of female students better than their male counterparts. Girls “profit[ed]” from their education and became “educators either in the home or school.” The Asylum’s benefits for boys were less clear: “Some of them engage in active business life, others follow the example of their forefathers, lounge, hunt, and fish.”⁹³ In the 1880s, national leaders questioned the merits of academics alone for its male seminary students, articulating the views Duncan had expressed in the 1850s: “Our education is useful, but it does not go far enough. The pursuit of agricultural or other industries and the occupations of domestic life will be the lot of nearly all who are here and to send them forth ignorant of their duties and, many of them, to places not supplied with the abundance, the comforts, and the guardian care thrown around about them, without means and ability to acquire a livelihood, will be an experiment full of trial and danger, to both themselves and their people.”⁹⁴ Some dissonance existed between imparting an academic education in the

⁹¹ “The Cherokee At School,” Fleming Papers.

⁹² *Cherokee Advocate*, 20 December 1873; 14 February 1874.

⁹³ “The Cherokee At School,” Fleming Papers.

⁹⁴ William P. Ross Collection, Phillips Collection, box 2, fol. 9, Cherokee Documents, Western History Collections, University of Oklahoma, Norman, Oklahoma.

Nation's young men and meeting the need for farming, industrial, and subsistence skills essential to life in the Cherokee Nation. The vast majority of Cherokees found work as farmers and mechanics.⁹⁵ One Asylum resident remarked, "I think a life in the country is the pleasantest life there is. We can raise such fine crops; and have good gardens, such as we have at the Asylum; which is in the country, but there are so many children and officers, that it seems more like a town."⁹⁶ Unlike the boys at the Seminary, groomed for a life of "abundance," the boys at the Asylum received an education complete with agricultural skills.

The Asylum resembled a town, complete with romantic entanglements. The superintendents, teachers, and matrons socialized with each other, and love sometimes bloomed. Most of the teachers and matrons were unmarried, and the confined nature of institutional living limited their opportunities for relationships outside the Asylum. After the death of his second wife, Walter Adair Duncan courted and married the widowed teacher, Katherine Caleb, at the Orphan Asylum in 1878. Reverend Joseph Thompson, after the death of his wife Ellen, married the widow of the Asylum's physician, Doctor Walter Thompson Adair. Teacher and Superintendent E.C. Alberty also married at the Asylum. Male Seminary graduate and Asylum teacher Bruce Garrett married fellow teacher Cherrie Edmonson. As students came of age they, too, pursued relationships. Taylor Eaton, a former student whom the Asylum employed after graduation, married Ida Cornstalk while she was still a student. Reverend Joseph Thompson performed the ceremony and provided provisions for the young family. James Duncan, a teacher, married Lucinda Buffington, a student.⁹⁷

⁹⁵ Summary of the Cherokee Census, 1880, 49th Cong., 1st Sess., *Report of the Committee on Indian Affairs, United States Senate, on the condition of the Indians in the Indian Territory*, Table C, 46.

⁹⁶ *The Children's Playground*, 9 June 1881, Special Collections, NSU.

⁹⁷ Garrett, *The Cherokee Orphan Asylum*, 34-35.

Friendships as well as marriages stood the test of time. In 1934, Emma Dunbar, who served briefly as a kindergarten teacher, sustained friendships and correspondence with fellow teachers Cora and Ada Archer as well as Annie Elliot. Blueie Adair, a teacher, continued to correspond with Emma Dunbar as well. Blueie Adair and Fannie Parks, another former teacher, belonged to the Tulsa Daughters of the Confederacy and reported to Dunbar on former student Mary Riley, also a member of the Tulsa group.⁹⁸

Death was also a part of life at the Orphan Asylum. Throughout his tenure as Superintendent, Duncan's annual expenses included the purchase of coffins. The children also acknowledged the deaths of the students and staff at other institutions. In the wake of James Vann's death, the "meeting of the officers and pupils" published condolences to the "bereaved relatives and to the teachers and pupils of the Male Seminary" in the *Cherokee Advocate*.⁹⁹ The Asylum also faced near constant threat of disease. In 1874, the *Advocate* reported, "All [orphans] doing well so far," during a measles outbreak.¹⁰⁰ Disease forced quarantines when the community at large or the asylum experienced an outbreak. No one at the Asylum was immune: Duncan suffered the loss of his eldest son and his second wife while he was superintendent.¹⁰¹ The summer of 1877 proved especially deadly. In May, Lewey Downing, son of the former principal chief and asylum pupil, died at the home of his brother.¹⁰² Two weeks later, fourteen

⁹⁸ Cora Archer to A.E. Baldrige, 5 July 1937, Ella May Covil to Emma Fleming, 23 September 1934, Blueie Adair Lawrence to Emma Fleming, 3 July 1934, Fleming Papers.

⁹⁹ *Cherokee Advocate*, 1 February 1879.

¹⁰⁰ Ibid., 19 September 1874.

¹⁰¹ Ibid., 18 November 1876.

¹⁰² Ibid., 13 June 1877.

year old Mary Watts died.¹⁰³ In September, an accidental shooting claimed the life of one brother at the hands of the other.¹⁰⁴ A year later, Duncan reported “two deaths of inmates.”¹⁰⁵

Death revealed the extent to which the orphanage had assumed the traditional responsibilities of kin since obituaries listed survivors. Lewey Downing had lost his parents, but other relatives, including a brother, survived him. Nevertheless, the Nation, through the Asylum, had cared for him. The Orphan Asylum Committee shared their loss of Mary Watts with her “relatives at home.”¹⁰⁶ Some students even had a living parent. The death of a classmate prompted one student to write, “My Dear Mother, I take my pen in my hand to tell you how I am getting along one of our school mates died here a while ago they will beary him to maraw...Mother ples excuse my bad writeing I feale very sad today about the boy that dide.”¹⁰⁷

Although the Cherokee Nation assumed familial obligations for some citizens, it did not do so for all.¹⁰⁸ The Treaty of 1866, which extended citizenship to Cherokee Freedmen, did not make freedmen kin. In 1873, Cherokee Freedmen complained to missionaries that the Orphan Asylum failed to serve their children. A year later they petitioned the Council “to provide support and education of our Orphan Children.”¹⁰⁹ The Cherokee Nation pointed out that so many children had needs that the Asylum could not possibly serve them all, but the Council did

¹⁰³ Ibid., 27 June 1877.

¹⁰⁴ Ibid., 19 September 1877.

¹⁰⁵ Ibid., 6 April 1878.

¹⁰⁶ Ibid., 27 June 1877.

¹⁰⁷ My Dearest Mother, 26 March 1878, Don Franklin Papers, privately owned document, Tahlequah, Oklahoma.

¹⁰⁸ Rose Stremlau, “In Defense of “This Great Family Government and Estate”: Cherokee Masculinity and the Opposition to Allotment” in Craig T. Friend ed., *Perspectives on Manhood in the South since Reconstruction* (Athens: University of Georgia Press, forthcoming 2009).

¹⁰⁹ To the Honorable Senate and Council in General Council Convened,” 31 October 1874, CNP, reel 6, fol. 635.

make plans for a separate building for the children of Freedmen at the Asylum's permanent location in Salina.¹¹⁰ The effort stalled when the Council and the Board of Education deadlocked over who was responsible for the orphans of Freedmen.¹¹¹ Many Cherokee citizens either ignored or feigned ignorance of the need for orphan care for Freedmen children. Hearings conducted in 1885 by the federal government to evaluate the Cherokee Nation's fulfillment of its treaty obligations asked pointed questions about orphan care: "Q: Is there an asylum in the Cherokee Nation for colored people? A: I do not think there is. Q: Are there colored people in your asylums? A: I do not think there are. Q: They do not have any orphans, do they? A: I do not know. Q: What becomes of their orphans? A: I cannot say."¹¹² The Freedmen presented a unique challenge to the Cherokee people's understandings of citizenship versus kinship; they were willing to admit Freedmen to citizenship but not acknowledge kinship, although some were biological kin. Cherokees tried to reconcile the two by meeting minimal needs of Freedmen. In the 1880s, the Freedmen obtained a Colored High School within the Cherokee Nation, and a number of colored common schools existed. In 1895, the Colored High School, underfunded compared to the Cherokee schools, established a residential primary department as a means to provide a home and education to its orphaned and indigent children.¹¹³ Teachers, irrespective of color, attended the Teacher's Institute together. Assuming responsibility did not mean Cherokees accepted equality. In 1885, when Emma Dunbar attended the Cherokee Teacher's

¹¹⁰ McLoughlin, *After the Trail of Tears*, 340-341.

¹¹¹ Daniel F. Littlefield, Jr. *The Cherokee Freedmen: From Emancipation to American Citizenship* (Westport: Greenwood Press, 1978), 55-56.

¹¹² Investigation of condition of Indians in Indian Territory, 49th Cong., 1st Sess., *Report of the Committee on Indian Affairs, United States Senate, on the condition of the Indians in the Indian Territory*, (Washington, DC: GPO, 1886), 38-39.

¹¹³ Littlefield, *Cherokee Freedmen*, 57-58.

Institute before beginning her position at the Asylum, she observed that “the Indian considers the negro far beneath him. And when a well educated colored teacher rises to make a few remarks, a large majority of the Cherokee teachers leave the building.”¹¹⁴ The role of the Freedmen in the Cherokee Nation continued to be a controversial issue, and the Nation only grudgingly accepted any responsibility for them.¹¹⁵ As the Nation conceptualized itself as family, it excluded those with whom it refused to forge kin ties, even though biological and political bonds remained.

Eventually, children left the Orphan Asylum. In his 1877 annual report, Duncan inquired at what age orphans “should be received into the asylum, how long they should remain within its walls, and at what age this connection with the asylum should cease.”¹¹⁶ Age of admission varied from year to year. Some years, students received were as young as five, and other years, they were as old as seven. Although the age of maturity usually was eighteen, on rare occasions students remained until nineteen or twenty.¹¹⁷ Some graduates married and established their own households; others went to live with relatives. At least once, in the case of Taylor Eaton, a former student found employment at the Asylum. Reverend Thompson gave Eaton and his wife Ida Cornstalk, both graduates of the Asylum, a wheelbarrow filled with provisions; he continued to provision them in their first year of marriage.¹¹⁸ The Asylum did not simply release other children into the world without resources. During the 1876 school year, the “orphans

¹¹⁴ “In the Year 1885,” Fleming Papers.

¹¹⁵ Tim Gammon, “Black Freedmen and the Cherokee Nation,” *Journal of American Studies* 2 (1977): 357-364. For a more thorough discussion of the controversies and inequities surrounding education, citizenship, and per capita payments see Katja May, *African Americans and Native Americans in the Creek and Cherokee Nations, 1830s to 1920s* (New York: Garland Publishing, 1996); Celia E. Naylor, *African Cherokees in Indian Territory: From Chattel to Citizens* (Chapel Hill: University of North Carolina Press, 2008).

¹¹⁶ 13 October 1877, Board of Trustees to Hon. Charles Thompson, CNP, reel 6, fol. 684.

¹¹⁷ Ibid.

¹¹⁸ Garrett, *Cherokee Orphan Asylum*, 34-35.

discharged” totaled twelve, and each received a payment of \$10.00.¹¹⁹ Many former students maintained a close relationship with the Asylum. Eaton and Cornstalk hosted their teachers in their home after they married.¹²⁰ Based on the correspondence of former teacher Emma Dunbar and others, many of the residents maintained relationships with each other and their teachers well beyond the years they spent in Salina.¹²¹ The Asylum remained a fond memory for many graduates. Mary Riley, who contributed her article “Trees” to *The Children’s Playground* in 1881, published an article, “Cherokee Orphan Asylum Was Established in Year 1873” in the *American Indian* in 1929.¹²² The article recounted a brief history of Cherokee orphan care, education, and the Asylum from its opening at the Salina location until it burned down in 1903. Her first experiences with a printing press and journalism almost certainly occurred at the Orphan Asylum. These experiences provided skills that served her beyond her years at the Asylum.

For the teachers, especially, the Orphan Asylum provided a spring board to other positions. E.C. Alberty, graduate of the Male Seminary, taught at the Asylum; he then served as Superintendent from 1902 to 1903, the year it burned down.¹²³ Reverend Walter Adair Duncan, after his years of service at the Asylum, became a vocal opponent of the allotment policy and testified before Congress on several occasions.¹²⁴ A.H. Norwood, teacher at the Asylum, became an attorney. Cora Archer, a graduate of the Female Seminary and teacher at the Asylum, married

¹¹⁹ *Cherokee Advocate*, 15 July 1876.

¹²⁰ Garrett, *Cherokee Orphan Asylum*, 35.

¹²¹ Cora Archer to A.E. Baldridge, 5 July 1937, Ella May Covil to Emma Fleming, 23 September 1934, Bluiie Adair Lawrence to Emma Fleming, 3 July 1934, Fleming Papers.

¹²² Roberts, “Cherokee Orphan Asylum Was Established in Year 1873,” 12.

¹²³ Garrett, *Cherokee Orphan Asylum*, 35.

¹²⁴ To the Honorable Cherokee Commission, 10 August 1897, 55th Cong. 2nd Sess., *Report*, 143-145.

Ross Shackelford who later served as a local judge.¹²⁵ Stephen Parks, another Male Seminary graduate, taught at the Asylum and served as Principal teacher. He went on to receive his law degree from Cumberland University in Lebanon, Tennessee and used his law degree in his capacity as Cherokee Nation Attorney.¹²⁶

When teachers and students served the Nation, they were fulfilling the reciprocal obligations that family members had for each other. By assuming responsibility for orphans, the Nation had become family. In 1876, Duncan wrote, “This Nation reached [advancement], we think, when the proposal takes its indigent orphan children and become indeed a mother to them, was practicably adopted, in the shape of an Orphan Asylum with its four square miles of grounds attached.”¹²⁷ The Nation’s acceptance of its familial role marked an abrupt departure from traditional culture in which clans took care of their own, but the government grounded this new role in ancient values of kinship and collective responsibility. Cherokees did not prosper as a result of individual initiative; they succeeded because they helped each other. When clans could no longer provide support for orphans, the Nation stepped in and embraced them. The orphans, like all Cherokee children, were the Nation’s future, but the familial fold the Asylum provided linked them to the past and to a Nation that had become their family.

¹²⁵ Ella May Covil to Emma Fleming, 23 September 1934, Bluiie Adair Lawrence to Emma Fleming, 3 July 1934, Fleming Papers.

¹²⁶ “Historical Statement by Mrs. R.L. Fite,” 103; 118-124, IPP.

¹²⁷ *Cherokee Advocate*, 11 March 1876.

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